

BEFORE THE COMMONWEALTH OF KENTUCKY **RECEIVED**

PUBLIC SERVICE COMMISSION

OCT 14 2011

In the Matter of:

PUBLIC SERVICE
COMMISSION

INVESTIGATION INTO TRAFFIC DISPUTE)
BETWEEN BRANDENBURG TELEPHONE)
COMPANY, WINDSTREAM KENTUCKY EAST,)
LLC AND VERIZON ACCESS)

CASE NO.
2008-00203

**WINDSTREAM KENTUCKY EAST, LLC'S DATA REQUESTS
TO VERIZON BASED ON UPDATED DIRECT TESTIMONY**

Windstream Kentucky East, LLC ("Windstream") submits the following Data Requests to MCImetro Access Transmission Services, LLC d/b/a Verizon ("Verizon") to be answered in accord with the following:

DEFINITIONS

- "Windstream" means Windstream Kentucky East, LLC f/k/a Windstream Kentucky East, Inc.
- "Verizon" means MCImetro Access Transmission Services, LLC d/b/a Verizon.
- "You" and "your" refer to Verizon.
- "Brandenburg" means Brandenburg Telephone Company.
- "Brandenburg-Windstream EAS facilities" refer to the extended area service trunks between Brandenburg and Windstream established to carry EAS traffic between your Radcliff and Vine Grove customers and Wind stream East's Elizabethtown customers.
- "Brandenburg-Verizon Agreement" refers to the traffic exchange agreement filed in Kentucky Public Service Commission ("Commission") Case No. 2008-00203 on or about August 27, 2011 and referenced in the Commission's September 15, 2011 Order in such docket.

- “Document” shall have the broadest possible meaning under applicable law and means every writing or record of every type and description that is in your full or partial possession, custody or control, including, by way of illustration and not limitation, correspondence, memoranda, drafts, work papers, summaries, stenographic or handwritten notes, studies, publications, books, pamphlets, reports, surveys, schedules, work sheets, comparisons, minutes or statistical compilations, computer and other electronic records or tapes or printouts, including, but not limited to, electronic mail files and copies of such writings or records containing any commentary or notation whatsoever that does not appear in the original.
- “Referring” or “relating to” means consisting of, containing, mentioning, suggesting, reflecting, concerning, regarding, summarizing, analyzing, discussing, involving, dealing with, emanating from, directed at, pertaining to in any way, or in any way logically or factually connected or associated with the matter discussed.
- “And” and “or” as used herein shall be construed both conjunctively and disjunctively, and each shall include the other whenever such construction shall serve to bring within the scope of these discovery requests any information that would otherwise not be brought within their scope.
- “Identify” or “identifying” or “identification” when used in reference to a document means to provide, with respect to each document requested to be identified by these discovery requests, a description of the document that is sufficient for purposes of a request to produce or a subpoena *duces tecum*, including the following:
 - a. the type of document (e.g., letter, memorandum, etc.);
 - b. the date of the document;
 - c. the title or label of the document;
 - d. the identity of the document originator;

- e. the identity of each person to whom the document was sent;
 - f. a summary of the contents of the document; and
 - g. if any such document was, but is no longer, in your presence, custody or control or is no longer in existence, state whether the document is missing or lost, destroyed, or has been transferred voluntarily or involuntarily.
- The singular as used herein shall include the plural, and vice versa, and the masculine gender shall include the feminine and the neuter.

GENERAL INSTRUCTIONS

These Data Requests are to be answered with reference to all information in your full or partial possession, custody or control or reasonably available to you. These Data Requests are intended to include requests for information, which is physically within your possession, custody or control.

To the extent that the specific document, work paper, or information as requested does not exist, but a similar document, work paper, or information does exist, provide the similar document, work paper, or information.

If any request cannot be answered in full, answer to the extent possible and specify the reasons for your inability to answer fully.

These Data Requests are continuing in nature and require supplemental responses should information unknown to you at the time you serve your responses to these requests subsequently become known.

For each request, provide the name of your witness(es) or employee(s) or other representative(s) responsible for compiling and providing the information contained in each answer.

1. Reference: Updated Direct Testimony of Don Price at p. 12, lines 1-3. Please describe the “interconnection point” to which you refer. Specifically:
 - a. Is the “interconnection point” to which you refer the same as the “Point of Connection” as such term is used in the Brandenburg-Verizon Agreement and defined in Section 1.12 of such agreement?
 - b. What are the V&H coordinates, as such term is commonly used in the telecommunications industry, of such “interconnection point”?
 - c. If there is a Common Language Location Identifier (“CLLI”) code for such “interconnection point”, please provide it. To the extent that there is no CLLI code for such “interconnection point” but there is a CLLI code associated with the same physical location as the “interconnection point”, please provide such CLLI code.

2. Reference: Updated Direct Testimony of Don Price at p. 12, lines 1-3. Please describe the facilities that Verizon intends to use between the “interconnection point” and the point at which such traffic exits the service territory of Windstream. Specifically:
 - a. Are such facilities either owned or controlled by Verizon?
 - b. If your answer to subpart a is not in the affirmative, are such facilities leased by Verizon? If such facilities are leased by Verizon:
 - i. Are such leased facilities dedicated to Verizon?
 - ii. Are such facilities leased from Windstream?
 - c. If such facilities are neither owned, controlled, nor leased by Verizon, please explain. Specifically, please state whether such traffic will traverse the Brandenburg-Windstream EAS Facilities within Windstream service territory.

3. Reference: Updated Direct Testimony of Don Price at p. 12, lines 1-3.

a. As of the date of your response to this data request, has the “traffic in question” been “move[d]” “to the new “interconnection point”?”

b. If your answer to subpart a is anything other than an unqualified answer in the affirmative, please provide:

i. An explanation for why the traffic has not yet been moved; and

ii. The date by which you expect such traffic to be moved and the basis for such expectation.

4. Reference: Updated Direct Testimony at p. 11, lines 16-21. Section 3.1 of the referenced agreement (Brandenburg-Verizon Agreement) states as follows: “The Agreement sets forth the terms and conditions under which the Parties agree to interconnect their networks and exchange ISP Traffic.” “ISP Traffic” is defined in Section 1.12.

a. Does Verizon intend to enter into an agreement with Brandenburg pertaining traffic that is not “dial-up modem traffic terminated to Verizon customers that are commercial providers of internet access,” but nevertheless is traffic for which: “(i) the call originates and terminates from and to, respectively, NPA NXXs assigned to rate centers in the same Local Service Exchange Area; or (ii) originates and terminates from and to, respectively, NPA NXXs assigned to rate centers within different Exchanges that share a common mandatory local calling area, e.g., mandatory Extended Area Service (EAS) or mandatory Extended Local Calling Service (ELCS) as approved by the Commission and defined by Brandenburg's tariffs” (Brandenburg-Verizon Agreement at § 1.12)?

b. If your answer to subpart a is in any way in the affirmative, please state when Verizon intends to enter into such an agreement and the steps that Verizon is taking to do so. If your answer to subpart a is anything other than an unqualified affirmative response, please explain.

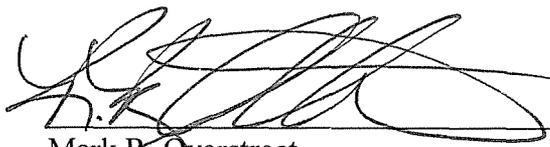
5. Reference: Updated Direct Testimony of Don Price at p. 10, line 2 through p. 12, line 3.

a. Please produce all documents in your possession, including e-mails and other electronic files, that discuss or relate to the “traffic in question” as such term is used on p. 12, line 2 of your Updated Direct Testimony. You need not produce any documents that are known to have been created before August 29, 2009.

b. To the extent not provided in response to subpart a of this data request, please produce all documents in your possession, including e-mails and other electronic files, that discuss or relate to any other type of traffic originated by Brandenburg end users and bound for Verizon that was traversing the Brandenburg-Windstream EAS Facilities as of August 29, 2009. You need not produce any documents that are known to have been created before August 29, 2009.

c. To the extent not provided in response to subparts a or b of this data request, please also produce all other documents in your possession, including e-mails and other electronic files, relating to implementation of the “2009 Order” to which you refer on p. 10, line 4 of your Updated Direct Testimony. This request includes but is not limited to negotiation of a traffic exchange agreement (or attempts at such negotiation) and implementation of the Brandenburg-Verizon Agreement.

Respectfully submitted,



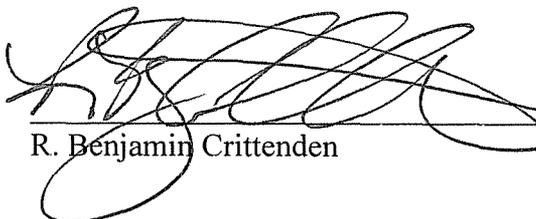
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COUNSEL FOR:
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CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing has been served by United States Postal Service, First Class Mail, on this the 14th day of October, 2011, upon:

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